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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,420	01/11/2006	Oscar Hendrikus Willemsen	NL 030829	8965

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

DOAK, JENNIFER L

ART UNIT	PAPER NUMBER
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2872

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/564,420

Applicant(s)WILLEMSSEN, OSCAR
HENDRIKUS**Examiner**

Jennifer L. Doak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hwang et al. (US 6,317,170) (hereinafter Hwang) in view of Aizenberg et al. (US 2004/0174610) (hereinafter Aizenberg).**

5. Regarding Claims 1-3, Hwang et al. disclosed a projection device, comprising:

- means for directing a plurality of light beams (150) onto
- a scanning device (900), adapted to scan the beams in order to project
- an image on a surface (1000),
- a lens is arranged in the optical path of the beams after the scanner so that the scanner is located between the lens and its focal length (col. 2, line 41-45);

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6. Hwang et al. fails to teach that an adjustable lens arranged in the optical path of the beams after the scanner so that the scanner is located between the lens and its focal length; Hwang et al. fails to teach that the lens is an electro-wetting lens wherein the lens has at least two refractive planes. Aizenberg et al. discloses an adjustable lens (Figs. 1B and 1C; para. [0022], [0033]-[0035]); wherein the lens is an electro-wetting lens (para. [0022], [0033]-[0035]); the lens has at least two refractive planes (para. [0030]), insofar as the confining liquid and the refractive optical lens have different refractive indices wherein lies a plane in each:

7. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hwang to include the adjustable, electro-wetting lens of Aizenberg, since the adjustable, electro-wetting lens has a tunable or adjustable focal length and transmissivity and did so in a manner that reduces complication and expense.

8. **Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hwang et al. (US 6,317,170), (hereinafter Hwang), in view of Aizenberg et al. (US 2004/0174610), (hereinafter Aizenberg), in further view of Callison et al. (US 2002/0180869), (hereinafter Callison).**

9. Regarding Claim 4 and 5, the modified Hwang and Aizenberg disclose all the elements of Claim 1, from which this claim depends. Hwang further discloses that the beams are of different color (Fig. 3: (150); col. 8, lines 36-59), wherein the projection device comprises means to modulate (Fig. 3:(700); col. 8, lines 36-59) the beams and to form one combined beam (Fig. 3). Hwang et al. fails to disclose that the scanner is a two-dimensional scanner arranged to scan the combined beam in a raster pattern, and further that the scanner is arranged to scan the array of beams in a second direction. Hwang and Callison et al are related as projection devices. Callison

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teaches that a scanner (Fig. 9) is a two-dimensional scanner arranged to scan the combined beam in a raster pattern (Abstr). Callison et al. further teaches that the scanner is arranged to scan an array of beams in a second direction (Abstr.; para. [0025]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hwang to include the two-dimensional scanner as taught in Callison, since simultaneous raster scanning of multiple lines enables higher resolution, brightness, and frame rates with available economical components.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer L. Doak whose telephone number is 571-272-9791. The examiner can normally be reached on Mon-Thur: 7:30A-5:00P, Alt Fri: 7:30A-4:00P (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on 571-272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JD


Stephone B. Allen
Supervisory Patent Examiner